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**EXHIBIT 4**

Westlaw

McKinney's Public Authorities Law § 3301

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C

Effective:[See Text Amendments]

McKinney's Consolidated Laws of New York Annotated Currentness  
 Public Authorities Law (Refs & Annos)  
 Chapter 43-A. Of the Consolidated Laws  
 \* Article 10-C. New York Health Care Corporations (Refs & Annos)  
 \* Title 1. Westchester County Health Care Corporation  
 → § 3301. Legislative findings and purpose

The legislature hereby finds and declares as follows:

1. Currently, the Westchester County Medical Center is a public hospital owned and operated by the county of Westchester.
2. The Westchester County Medical Center encompasses the Medical Center Hospital, the Ruth Taylor Geriatric and Rehabilitation Institute, the Psychiatric Institute and the Westchester Institute for Human Development.
3. The Medical Center Hospital is the tertiary care facility for Westchester and the six other counties of the lower Hudson Valley.
4. The needs of the residents of the state of New York and of the county of Westchester can best be served by the operation of the Westchester County Medical Center by a public benefit corporation having the legal, financial and managerial flexibility to take full advantage of opportunities and challenges presented by the evolving health care environment.
5. In order to accomplish the purposes recited in this section to provide health care services and health facilities for the benefit of the residents of the state of New York and the county of Westchester, including persons in need of health care services without the ability to pay as required by law, a public benefit corporation to be known as the Westchester county health care corporation shall be created to provide such services and facilities and to otherwise carry out such purposes; that the creation and operation of the Westchester county health care corporation, as hereinafter provided, is in all respects for the benefit of the people of the state of New York and of the county of Westchester, and is a state, county and public purpose; and that the exercise by such corporation of the functions, powers and duties as hereinafter provided constitutes the performance of an essential public and governmental function.

CREDIT(S)

(Added L.1997, c. 11, § 1.)

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McKinney's Public Authorities Law § 3301

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## HISTORICAL AND STATUTORY NOTES

2001 Main Volume

L.1997, c. 11 legislation

Section effective Feb. 11, 1997, pursuant to L.1997, c. 11, § 2.

## LEGISLATIVE HISTORIES

**L.1997, c. 11:** For Legislative, Executive or Judicial memorandum relating to this law, see McKinney's 1997 Session Laws of New York, pp. 1915, 2013.

McKinney's Public Authorities Law § 3301, NY PUB AUTH § 3301

Current through L.2007, chapters 1 to 690.

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 Chapter 43-A. Of the Consolidated Laws  
 § Article 10-C. New York Health Care Corporations (Refs & Annos)  
 § Title 1. Westchester County Health Care Corporation  
 → § 3305. General powers of the corporation

Except as limited by this title, the public health law, the mental hygiene law, the social services law, the education law or any other applicable law or regulation, the corporation shall have power:

1. to sue and be sued;
2. to have a seal and alter the same at pleasure;
3. to borrow money and issue bonds for any of its corporate purposes or its projects, or to refund the same, and to provide for the rights of the holders thereof;
4. to make and alter by-laws for its organization and management, and, subject to agreements with its bondholders, to make and alter rules and regulations governing the exercise of its powers and the fulfillment of its purposes under this title;
5. (a) to acquire by purchase, grant, lease, gift, or otherwise and to hold and use property necessary, convenient or desirable to carry out its corporate purposes, and to sell, convey, mortgage, lease, pledge, exchange or otherwise dispose of any such property in such manner as the corporation shall determine;
- (b) to acquire by condemnation pursuant to the provisions of the eminent domain procedures [FN1] law any real property within Westchester county required by the corporation to carry out the powers granted by this title with the approval of both the county board of legislators and the county executive;
6. to acquire, construct, lease, expand, improve, maintain, equip, furnish, operate one or more projects and, if necessary, to pay or finance the cost thereof;
7. to accept gifts, grants, loans or contributions of funds or property or financial or other aid in any form from, and enter into contracts or other transactions with, the federal government, the state or any public corporation or any other source, and to use any such gifts, grants, loans or contributions for any of its corporate purposes;
8. to grant options to renew any lease with respect to any project or projects and to grant options to buy any project at such price as the corporation may deem desirable;

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9. to designate the depositories of its money;
10. to establish its fiscal year;
11. to enter into contracts and to execute all instruments necessary or convenient or desirable for the purposes of the corporation to carry out any powers expressly given to it in this title;
12. to appoint such officers, employees and agents as the corporation may require for the performance of its duties and to fix and determine their qualifications, duties, and compensation subject to the provisions of the civil service law and any applicable collective bargaining agreement, and to retain or employ counsel, auditors, engineers and private consultants on a contract basis or otherwise for rendering professional, management or technical services and advice;
13. to use employees, agents, consultants and facilities of the county, paying the county its agreed proportion of the compensation or costs pursuant to an agreement with the county;
14. to make and adopt plans, surveys and studies necessary, convenient or desirable to the effectuation of the purposes and powers of the corporation and to prepare recommendations in regard thereto;
15. except as limited by state law or regulation, to fix and collect rates, rentals, fees and other charges for the services rendered by or for use of the facilities or in the exercise of the powers of the corporation;
16. to enter upon such lands, waters or premises as in the judgment of the corporation may be necessary, convenient or desirable for the purpose of making surveys, soundings, borings and examinations to accomplish any purpose authorized by this title, the corporation being liable for actual damage done;
17. the corporation may covenant and consent that the interest on any of its bonds or notes issued pursuant to this title shall be includable, under the United States Internal Revenue Code of 1986, as amended (the "code") or any subsequent corresponding internal revenue law of the United States, in gross income of the holders of the bonds or notes to the same extent and in the same manner that the interest on bills, bonds, notes or other obligations of the United States is includable in the gross income of the holders thereof under the code or any such subsequent law;
18. to insure or otherwise to provide for the insurance of the corporation's property or operations and also contract against such other risks as the corporation may deem advisable, including the interest rate risk for obligations it issues bearing interest at a floating or otherwise adjustable rate which prevents the actual rate over the term of the debt from being ascertained at the date of its incurrence, and including the power to make any payments with respect thereto; and
19. to do all things necessary, convenient or desirable, including ancillary and incidental activities, to carry out its purposes and for the exercise of the powers granted in this title.

## CREDIT(S)

(Added L.1997, c. 11, § 1.)

[FN1] So in original. Should be "procedure".

## HISTORICAL AND STATUTORY NOTES

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McKinney's Public Authorities Law § 3305

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#### LEGISLATIVE HISTORIES

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#### LIBRARY REFERENCES

2001 Main Volume

States  84.

C.J.S. States §§ 141 to 143, 165, 202.

In a caselaw database, run TO(360) or 360k[add key number] to retrieve cases related to States.

McKinney's Public Authorities Law § 3305, NY PUB AUTH § 3305

Current through L.2007, chapters 1 to 690.

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McKinney's Public Authorities Law § 3306

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 Public Authorities Law (Refs & Annos)  
 Chapter 43-A. Of the Consolidated Laws  
 ¶ Article 10-C. New York Health Care Corporations (Refs & Annos)  
 ¶ Title 1. Westchester County Health Care Corporation  
 → § 3306. Special powers of the corporation

In order to effectuate the purposes of this title, the corporation shall have the following additional powers, except as limited by this title, the public health law, the mental hygiene law, the social services law, the education law and any other applicable law or regulation:

1. To operate, manage, superintend and control any health facility under its jurisdiction and to repair, maintain and otherwise keep up any such health facility; and to establish, collect and adjust fees, rentals, and other charges for the sale, lease or sublease of any such health facility, subject to the terms and conditions of any contract, lease, sublease or other agreement with the county;
2. To provide health and medical services for the public directly or by agreement or lease with any person, firm or private or public corporation or association through or in the health facilities of the corporation or otherwise and to make internal policies governing admissions and health and medical services; and to establish, collect and adjust fees and other charges for the provision of such health and medical services; and to provide and maintain resident physician and intern medical services; and to sponsor and conduct research, educational and training programs;
3. To provide uncompensated care to persons in need of health care services without the ability to pay;
4. To provide, maintain and operate a medical transport service, provided, however, nothing herein shall prohibit the corporation from adopting a schedule of charges for medical transport;
5. To enter into contracts, leases, subleases and other agreements for the purpose of affiliating with a medical college in conjunction with the corporation's health facilities, which agreements may provide for the management, operation and staffing of health facilities, the reconstruction, renovation or addition to health facilities; the provision of necessary facilities, utilities and services; and such other conditions or features necessary and proper for such purpose and for the public health and general welfare;
6. To determine the conditions under which a physician may be extended the privilege of practicing within a health facility under the jurisdiction of the corporation, and to promulgate reasonable internal policies for the conduct of all persons, physicians and nurses within such facility; and

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7. (a) Except as provided in paragraph (b) of this subdivision or as expressly limited by any applicable state law or regulation to exercise and perform all or part of its purposes, powers, duties, functions or activities through one or more subsidiary corporations owned or controlled wholly or in part by the corporation, which shall be formed pursuant to the business corporation law, the limited liability company law, or the not-for-profit corporation law, in each case subject to all the limitations provided in this article.

(b) No subsidiary of the corporation shall own, operate, manage or control the existing acute inpatient and outpatient facilities and services now in operation on the grounds of the Valhalla campus.

(c) Any such subsidiary may be authorized to act as a general or limited partner in a partnership or as a member of a limited liability company, and enter into an arrangement calling for an initial and subsequent payment by such subsidiary in consideration of an interest in revenues or other contractual rights.

(d) An entity shall be deemed a subsidiary corporation whenever and so long as (i) more than half of any voting shares of such subsidiary are owned or held by the corporation or (ii) a majority of the directors, trustees or members of such subsidiary are designees of the corporation.

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